

**KILPATRICK TOWNSEND &
STOCKTON LLP**

Frederick L. Whitmer (FW-8888)
The Grace Building
1114 Avenue of the Americas
New York, NY, USA, 10036-7703
Telephone: (212) 775 8700
Facsimile: (212) 775 8800

Wab Kadaba (Georgia Bar No. 405727)
Mitch Stockwell (Georgia Bar No. 682912)
Richard Goldstucker (Georgia Bar No. 940472)

1100 Peachtree Street, Suite 2800
Atlanta, GA 30309-4530
Telephone: (404) 815-6500
Facsimile: (404) 815-6555

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SANFORD L.P. (d/b/a DYMO) and DYMO B.V.B.A.

Plaintiffs,

v.

14 Civ. 7616 (VSB)

ESSELTE AB, ESSELTE LEITZ GMBH & CO. KG,
and ESSELTE CORPORATION,

Defendants.

DYMO'S PRELIMINARY INJUNCTION HEARING EXHIBIT LIST

DYMO's Preliminary Injunction Hearing Exhibit List¹

| Exhibit Objection Key | |
|-----------------------|--|
| Code | Basis for Objection |
| 106 | Fairness requires admission of remainder of the document |
| 801/802/805 | The exhibit contains or is hearsay and no exception applies and/or the exhibit contains or is hearsay within hearsay and no exception applies. |
| 901 | The exhibit lacks authentication. |
| NR | Exhibit not received—all objections are reserved |

| Exh. No. | Witness | Production No. | Document Name | Esselte Objection |
|----------|---------|---------------------------|--|-------------------|
| PX001 | Kibbe | DYMO0001271 – DYMO0001273 | DYMO – The right Product for the Right Task | |
| PX002 | Kibbe | N/A | DYMO Business Review dated 7/29/14 | |
| PX003 | Kibbe | DYMO0001274 – DYMO0001278 | United Stationers Business Products Office Supplies 2014 | |
| PX004 | Kibbe | N/A | Growth Game Plan Into Action Dymo 2015 Business Planning March 2014 | |
| PX005 | Kibbe | DYMO0001279 – DYMO0001280 | Product Descriptions from www.amazon.com for Dymo LabelWriter 450 Series | |
| PX006 | Kibbe | DYMO0001281 – DYMO0001283 | Dymo LabelWriter 450 Label Printer from www.staples.com | |
| PX007 | Kibbe | DYMO0001284 – DYMO0001286 | Article “New Leitz Icon Smart Labeling Systems Helps Business Professionals Stay Productive in a Mobile World” from www.reuters.com | |
| PX008 | Kibbe | DYMO0001287 – DYMO0001295 | Selected pages from Leitz website www.leitz.com | |
| PX009 | Kibbe | DYMO0001296 – DYMO0001301 | Leitz website – software and apps | |
| PX010 | Kibbe | DYMO0001350 – DYMO0001353 | Leitz website – Icon | |
| PX011 | Kibbe | DYMO0001302 – DYMO0001303 | Leitz ICON Smart Labeling System information flyer | |

¹ DYMO reserves the right to revise this list prior to filing the Joint Submission regarding the Preliminary Injunction Hearing.

| Exh. No. | Witness | Production No. | Document Name | Esselte Objection |
|---------------------|----------------|---------------------------|--|------------------------------|
| PX012 | Kibbe | DYMO0001304 – DYMO0001318 | Amazon.com holiday gift guide – Leitz Icon Smart Labeling Systems | |
| PX013 | Kibbe | DYMO0001319 – DYMO0001329 | Leitz – Direct Thermal printer – Label Print – White from www.bestbuy.com | |
| PX014 | Kibbe | DYMO0001330 – DYMO0001343 | Newell Rubbermaid Acquisition of Dymo Investment Highlights | |
| PX015 | Kibbe | DYMO0001344 | DYMO wins prestigious design award | |
| PX017 | Shelton | N/A | Selected pages from Newell Rubbermaid 2009 Annual Report | |
| PX018 | Shelton | N/A | Newell Rubbermaid DYMO Label Software v8.3 – Feature Optimization Study Final report May 2010 | |
| PX019 | Shelton | N/A | Newell Rubbermaid LabelWriter Duo Feature and Pricing Insights Study: Final Report December 2010 | |
| PX020 | Shelton | DYMO0001177 | Packaging for the LW450 Turbo | |
| PX021 | Shelton | DYMO0001198 – DYMO0001199 | Technical sheet for the LW450 products | |
| PX022 | Shelton | DYMO0001213 | DYMO Segmentation brochure | |
| PX023 | Shelton | DYMO0001183 | DYMO brochure for the LabelWriter Product for Office Depot | |
| PX024 | Shelton | DYMO0001181 – DYMO0001182 | DYMO LabelWriter 400 and 400 Turbo label printers | |
| PX025 | Shelton | DYMO0001209 | Software Development Kits LabelWriter & LabelManager | |
| PX026 | Shelton | N/A | Newell Rubbermaid DYMO Product Portfolio – Specs, Comps, Pricing Updated February 2013 | |
| PX027 | Stevens | N/A | Leitz ICON Product Assembly/Component Cost Comparison | |
| PX028 | Nesfeder | | DYMO User Guide DYMO Label v.8 | |

| Exh. No. | Witness | Production No. | Document Name | Esselte Objection |
|---------------------|----------------|--|---|------------------------------|
| PX029 | Nesfeder | DYMO0001345 – DYMO0001349 | David Block LinkedIn | 801/802/805 |
| PX030 | Hermann | N/A | Stock Purchase Agreement between Esselte and Newell Rubbermaid dated July 28, 2005 | |
| PX031 | Hermann | N/A | License Agreement between DYMO and Sanford dated September 2014 | |
| PX032 | Curley | N/A | Summary Infringement Claim Chart | |
| PX033 | Curley | N/A | Amendment to Serial No. 10/975,409 | |
| PX034 | | Physical exhibit | Leitz ICON cartridge | |
| PX035 | | Physical exhibit | Leitz ICON printer | |
| PX036 | | N/A | Letter from Whitmer to Frederickson dated November 20, 2014 | |
| PX037 | Block | ESSELTE0000681 – ESSELTE00007084 (Block Dep. Ex. 37) | Esselte – Project Mobile Application Software Specifications | |
| PX038 | Block | ESSELTE0002090 – ESSELTE0002093 (Block Dep. Ex. 38) | Esselte Project Mobile Marketing Requirements Document | |
| PX039 | Block | ESSELTE0005214 – ESSELTE0005215 (Block Dep. Ex. 39) | UI Design Guidelines | |
| PX040 | Block | Block Dep. Ex. 34 (printer) | Photographs of Leitz ICON printer | |
| PX041 | Block | Block Dep. Ex. 35 (cartridge) | Photographs of Leitz ICON printer | |
| PX042 | Damiano | ESSELTE0002330; 2337 (Damiano Dep. Ex. 6) | Esselte Label Printer Project Progress | |
| PX043 | Damiano | ESSELTE0002730 – ESSELTE0002789 (Damiano Dep. Ex. 8) | Project Mobile January 24, 2012 | |
| PX044 | Damiano | ESSELTE0006070 (Damiano Dep. Ex. 12) | Cust Inv by Local Chain – Sales Qty | |
| PX045 | Block | ESSELTE0002059 – ESSELTE0002070 (Block Dep. Ex. 45) | Esselte Icon Product Planning Meeting July 31 – August 1, 2014 | |

| Exh. No. | Witness | Production No. | Document Name | Esselte Objection |
|---------------------|----------------|--|--|------------------------------|
| PX046 | Block | ESSELTE0000067 – ESSELTE000104 (Block Dep. Ex. 46) | Selected excerpts from the application no. 14/333,356 | |
| PX047 | Damiano | ESSELTE0006062 (Damiano Dep. Ex. 14) | Cust Inv by Local Chain Sales Qty | |
| PX048 | Damiano | ESSELTE0006071 (Damiano Dep. Ex. 19) | Spreadsheet showing calculation group, product code, description | |
| PX049 | Roman | ESSELTE0005360 – ESSELTE005376 (Roman Dep. Ex. 22) | Esselte North America | |
| PX050 | Damiano | ESSELTE0003390 – ESSELTE0003398 (Damiano Dep. Ex. 9) | Leitz Icon Smart Labeling System Office Depot May 8, 2014 | |
| PX051 | Block | ESSELTE0003142 – ESSELTE0003217 (Block Dep. Ex. 30) | Esselte Project Mobile – TG1 June 5, 2012 | |
| PX052 | Block | ESSELTE0001538 – ESSELTE0001769 (Block Dep. Ex. 31) | Dymo Labeling Endicia Mimio | |
| PX053 | Block | N/A (Block Dep. Ex. 32) | Hardware/Firmware Features and Improvements 7/24/2014 | |
| PX060 | Damiano | ESSELTE0006089 (Damiano Dep. Ex. 15) | Letter from Damiano to Minor dated February 21, 2014 | |
| PX061 | Damiano | ESSELTE0005580 (Damiano Dep. Ex. 17) | Cover page for Office Depot presentation 9/16/14 | |
| PX062 | Curley | Curley Dec. Exhibit A | Curley CV | |
| PX063 | Curley | Curley Dec. Exhibit B | Materials Considered | |
| PX064 | Curley | Curley Dec. Exhibit C | Legal Principles | |
| PX065 | Curley | Curley Dec. Exhibit D | Staples.com order receipt | |
| PX066 | Curley | Curley Dec. Exhibit E | Materials Considered | |
| PX067 | Curley | Curley Dec. Exhibit F | Dictionary Definition Chart | |
| PX068 | Curley | Curley Dec. Exhibit G | File Formats | |
| PX069 | Curley | Curley Dec. Exhibit H | Photograph | |
| PX070 | Curley | Curley Dec. Exhibit I | Summary Chart | |
| PX071 | Curley | Curley Dec. Exhibit J ESSELTE0000779 | Whipsaw Document | |
| PX072 | | N/A | Staples weekly advertisement | 901, 602 |
| PX073 | | N/A | Leitz Icon software operable on a computer | 901, 602 |

| Exh. No. | Witness | Production No. | Document Name | Esselte Objection |
|---------------------|----------------|---------------------------|--|------------------------------|
| PX074 | | N/A | DLS8 software operable on a computer | |
| PX075 | | N/A | WB Mason Catalog Page | 901, 106 |
| PX076 | | N/A | SP Richards Catalog Page | |
| PX077 | | DYMO0004956 – DYMO0005098 | IPSOS Marketing “How to Optimize Dymo’s Positioning Within the Labeling Category | |
| PX101 | | | U.S. Patent No. 6,152,623 | |
| PX102 | | | U.S. Patent No. 6,890,113 | |
| PX103 | | | U.S. Patent No. 7,140,791 | |
| PX104 | | | U.S. Patent No. 7,990,567 | |